

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,
Plaintiff,

NO. CR18-174 RAJ

v.

ORDER CONTINUING TRIAL DATE
AND PRETRIAL MOTIONS DEADLINE

JOSE VERDUZCO URIAS, BELINDA
CRUZ, JOSE URENA VERDUZCO, JULIO
CESAR FIERRO VEGA, IVAN VALDEZ
SOTO, VICTOR MARTINEZ, JULIAN
ZAMORA GARCIA, and ALBERTO CRUZ
REYES,

Defendants.

This matter comes before the Court on the stipulated motion to continue the trial in this matter, and to set a new pretrial motion cutoff consistent with that new trial date. Having considered the motion, any responses and objections, and all the files and records herein, the Court finds and rules as follows:

The facts supporting continuing the trial and excluding the consequent delay are set forth in the Stipulated Motion to Continue, incorporated by this reference, and include the following: (a) the large number of defendants charged; (b) the nature of the prosecution, which includes wiretaps over multiple phone lines and investigations in numerous districts; and (c) the volume of discovery produced, and still to be produced.

1 THIS COURT FINDS, pursuant to Title 18, United States Code, Section
2 3161(h)(7)(B)(i) and (ii) that this case is sufficiently unusual and complex, due to the
3 combination of the number of defendants, the nature of the prosecution, as well as the
4 existence of novel questions of fact, that it is unreasonable to expect adequate preparation
5 by the parties for pretrial proceedings or for the trial itself by the current trial date, or for
6 the immediate future.

7 THE COURT THEREFORE FINDS that failure to grant the continuance in this
8 case would likely make the continuation of these related proceedings impossible and result
9 in a miscarriage of justice, because failing to continue this matter for a considerable period
10 of time would deny counsel for the parties the reasonable time necessary for effective
11 preparation, due to defense counsels' need for more time to review the considerable volume
12 of discovery and evidence produced, and still to be produced, and to consider possible
13 defenses and motions, taking into account the exercise of due diligence.

14 THE COURT FINDS, in light of these factors, that it is unlikely that the parties can
15 be reasonably ready to try this matter before March 4, 2019.

16 THIS COURT FINDS, pursuant to Title 18, United States Code, Section 3161(h)(6)
17 and (7), that this is a reasonable period of delay in that the defendants have indicated they
18 require more time to prepare for trial. The Court finds that given the complexity of the
19 case, the number of defendants, and the volume of discovery produced, and still to be
20 produced, that more time is, in fact, necessary.

21 THIS COURT FINDS, therefore, that pursuant to Title 18, United States Code,
22 Sections 3161(h)(6) and 3161(h)(7), the ends of justice will best be served by a
23 continuance, and that they outweigh the interests of the public and the defendants in a
24 speedy trial.

25 THIS COURT FURTHER FINDS that all of the additional time requested between
26 the filing of this motion and the new trial date of March 4, 2019, is necessary to provide
27 counsel for the defendants the reasonable time necessary to prepare for trial.
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1 THE COURT FURTHER FINDS that since the filing of the motion, the defendants
2 who did not originally enter into the stipulation have since that time joined in the stipulated
3 motion (*See* Dkt. ## 108, 110, 113, 132, and 136), and the defendants have filed waivers
4 under the Speedy Trial Act. (*See* Dkt. ## 105, 107, 109, 112, 114, 115, 134, and 135).

5 NOW, THEREFORE, IT IS HEREBY ORDERED that the motion to continue trial
6 date and pretrial motions deadline (Dkt. #106) is GRANTED. The trial date is continued
7 as to all defendants captioned above until March 4, 2019, at 9:00 a.m.

8 IT IS HEREBY ORDERED, that pretrial motions, including motions in limine, shall
9 be filed no later than will be filed no later than January 17, 2019.

10 IT IS FURTHER ORDERED that the time between the date of this Order and the
11 new trial date of March 4, 2019, is excluded in computing the time within which a trial
12 must be held pursuant to Title 18, United States Code, Section 3161, et seq.

13 DATED this 13th day of September, 2018.

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16 The Honorable Richard A. Jones
17 United States District Judge
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